ARTICLE 306 SEXUAL MISCONDUCT REPORTING REQUIREMENTS

306.1 It is every member’s responsibility to promptly report any incident regarding sexual misconduct by a member as described in the SafeSport Code for the U.S. Olympic and Paralympic Movement to the U.S. Center  for SafeSport. Reporting must occur when an individual has firsthand knowledge of misconduct or where specific and credible information has been received from a victim or knowledgeable third party. Various state laws may also require reporting to law enforcement or to a designated child protection agency.

306.2 Filing a knowingly false allegation of sexual misconduct is prohibited and may violate state criminal law and civil defamation laws. Any person making a knowingly false allegation of sexual misconduct shall be subject to disciplinary action by USA Swimming.

306.3 Neither civil nor criminal statutes of limitation apply to reports of cases of sexual abuse.

You can call **1-855-503-SAFE (7233)**. This toll-free number allows you to report abuse or neglect of any child or adult to the Oregon Department of Human Services.

**Reporting abuse and neglect**

All citizens have a responsibility to protect those who cannot protect themselves. Members of the general public may report suspected abuse and neglect if they choose.

Oregon state law, however, mandates that workers in certain professions must make reports if they have reasonable cause to suspect abuse or neglect. These people are called mandatory reporters and they are a crucial link in the system to protect Oregon’s most vulnerable citizens.

[All employees of the Oregon Department of Human Services](https://www.oregon.gov/DHS/ABUSE/Pages/mr_employees.aspx) are mandatory reporters. These individuals are required to report because they have frequent contact with at-risk populations – infants and children, people who are elderly or dependent, individuals with mental illness or developmental disabilities, and residents of nursing homes and other health care facilities.

Various laws covering these populations offer differing definitions of abuse and different penalties for failing to report. But there is a lot of common ground such as any evidence of physical injury, neglect, sexual or emotional abuse, or financial exploitation.

By law, mandatory reporters must report suspected abuse or neglect of a child regardless of whether or not the knowledge of the abuse was gained in the reporter’s official capacity. In other words, the mandatory reporting of abuse or neglect of children is a 24-hour obligation.

Mandatory reporters, while acting in an official capacity, who come in contact with an elderly or developmentally disabled adult they suspect have been abused or neglected, must report to DHS or law enforcement.

**What is a "child"?**

A child is a person, married or unmarried, under the age of 18.

"Child" also includes an 18, 19 or 20-year-old who lives in a child-caring agency (CCA) or receives care or services from a CCA.

A CCA refers to a private agency or private organization licensed by DHS and includes:

* psychiatric day treatment for children
* adoption placements services
* residential care, including proctor foster care or residential treatment
* boarding schools
* outdoor youth programs, or
* other similar care or services for children

For a [complete definition see ORS 418.205​](https://www.oregonlaws.org/ors/418.205)

**Who are mandatory reporters?**

For a current and complete list of public or private officials who are mandatory reporters please refer to [Oregon Revised Statute 419B.005 (3)](https://www.oregonlegislature.gov/bills_laws/ors/ors419B.html). Some of these mandatory reporters include:

* Physician or physician assistant licensed under [ORS chapter 677](https://www.oregonlegislature.gov/bills_laws/ors/ors677.html)​ or naturopathic physician, including any intern or resident;
* Dentists;
* School employee, including an employee of a higher education institution;
* Licensed practical nurse, registered nurse, nurse practitioner, nurse’s aide, home health aide or employee of an in-home health service;
* Peace officer;
* Psychologist;
* Member of the clergy;
* Regulated social worker;
* Optometrist;
* Chiropractor;
* Certified provider of foster care, or an employee thereof;
* Attorney;
* Licensed professional counselor;
* Licensed marriage and family therapist;
* Firefighter or emergency medical services provider;
* A court appointed special advocate, as defined in [ORS 419A.004](https://www.oregonlegislature.gov/bills_laws/ors/ors419A.html);
* A child care provider registered or certified under [ORS 329A.030 and 329A.250 to 329A.450](https://www.oregonlegislature.gov/bills_laws/ors/ors329A.html);
* Member of the Legislative Assembly;
* Physical, speech or occupational therapist;
* Audiologist;
* Speech-language pathologist;
* Employee of the Teacher Standards and Practices Commission directly involved in investigations or discipline by the commission;
* Pharmacist;
* An operator of a preschool recorded program under [ORS 329A.255](https://www.oregonlegislature.gov/bills_laws/ors/ors329A.html);
* An operator of a school-age recorded program under [ORS 329A.257](https://www.oregonlegislature.gov/bills_laws/ors/ors329A.html);
* Employee of a private agency or organization facilitating the provision of respite services, as defined in [ORS 418.205](https://www.oregonlegislature.gov/bills_laws/ors/ors418.html), for parents pursuant to a properly executed power of attorney under [ORS 109.056](https://www.oregonlegislature.gov/bills_laws/ors/ors109.html)​;
  + Employee of a public or private organization providing child-related services or activities: Including but not limited to youth groups or centers, scout groups or camps, summer or day camps, survival camps or groups, centers or camps that are operated under the guidance, supervision or auspices of religious, public or private educational systems or community service organizations; and
  + Excluding community-based, nonprofit organizations whose primary purpose is to provide confidential, direct services to victims of domestic violence, sexual assault, stalking or human trafficking
* A coach, assistant coach or trainer of an amateur, semiprofessional or professional athlete, if compensated and if the athlete is a child.